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SEMINAR ON ACTION AGAINST TRAFFIC IN WOMEN AND FORCED PROSTITUTION

Note by the Secretary-General

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Introduction

1. The Sub-Commission on Prevention of Discrimination and Protection of Minorities requested, in paragraph 19 of its resolution 1991/34, the Secretary-General to send a representative of the Centre for Human Rights to participate in a Council of Europe seminar on trafficking in persons and prostitution to be held in Strasbourg from 25 to 27 September 1991 and to report on the results of that seminar to the Working Group on Contemporary Forms of Slavery at its seventeenth session. Pursuant to this request, a representative of the Centre for Human Rights participated in the seminar.

I. BACKGROUND

2. The Seminar on Action against Traffic in Women and Forced Prostitution as violations of human rights and human dignity was held at Strasbourg from 25 to 27 September 1991. The Seminar was organized by the European Committee for Equality between Women and Men (CEEG), the body within the Council of Europe responsible for stimulating action at both the national and Council of Europe level with a view to achieving real equality between women and men.

3. The action of CEEG found juridical support in resolution 161 (1958) L of the Parliamentary Assembly of the Council of Europe in which it was observed:

> "The traffic in persons for prostitution and the exploitation of the prostitution of others are incompatible with the dignity and worth of the human person, are a flagrant violation of the individual freedom of the persons thus victimized, encourage the growth of a criminal class living on the fringe of the law and flouting the rule of law and, furthermore, represent a complete denial of the spiritual and moral values which are the common heritage of the people whose Governments founded the Council of Europe."

II. PARTICIPATION

4. The Seminar was attended by: (a) members of the Parliamentary Assembly of the Council of Europe; (b) national and international experts in the area of police action against traffic in women and forced prostitution; (c) representatives of public authorities concerned, such as ministries of Interior, of Justice, and of Health; (d) representatives of organizations of prostitutes; (e) experts in the field of equality between women and men.

5. Participation at the Seminar was characterized by the presence of professors in law, social and political science devoting the majority of their time to the study of prostitution and sexual slavery. The Seminar was also attended by representatives of movements for the civil rights of prostitutes, who presented cases of women traded in developed countries for the purpose of prostitution.

III. ORGANIZATION OF THE WORK

6. The main theme of the Seminar, "Action against traffic in women and forced prostitution as violations of human rights and human dignity", was divided into three sub-themes:

(a) Prevention of the causes of traffic in women and forced prostitution: approaches and action;

(b) Legal, individual and administrative approaches and action;

(c) Assistance, support and reintegration: approaches and action.

Three working groups were set up to discuss the sub-themes.

7. The Government of the Netherlands had offered to cooperate with the Council of Europe in the organization of the Seminar and had commissioned Dr. Brussa to prepare a report on prostitution, migration and traffic in women (Council of Europe document EG/PROST (91)R), which served as a comprehensive basis for discussion.

IV. WORKING GROUP ON THE PREVENTION OF THE CAUSES OF TRAFFIC IN WOMEN

8. After a historical introduction to the phenomenon of prostitution, Prof. Turkan Saylan, Director of the Lepra Hospital and Professor at the Faculty of Medicine of the University of Istanbul, examined the current situation with regard to prostitution and trafficking in women. He noted that at present in North America and in Western European countries, tens of thousands of South American, African and Asian women who had been brought there with promises and pretexts were being exploited and made to work as prostitutes while living in poverty. These women were truly leading a life of slavery under the strict supervision of well organized people or institutions.

9. As a result of the revolutions, the migration, the expiration of natural resources, the hunger and the poverty in many African countries, a great number of girls and women who had no other alternative, fell into the grasp of the local or international prostitution sector. It was a known fact also that many women from countries in North Africa went to European countries to earn money by prostitution to enable them to support their families, returning to their own countries from time to time. The same thing was true of women of the countries of South America.

10. As mankind was about to enter the twenty-first century, trafficking in women and forced prostitution, in other words trafficking in human beings and exploitation of people still continued unabated, in spite of the expansion of democracy and efforts in favour of human rights.

11. The report of Prof. Turkan Saylan dealt extensively with the relationship between prostitution, human rights and human dignity. Nobody should interfere with a woman's free choice of prostitution as a way of life and as a means of livelihood. Especially for organized prostitutes who knew what they wanted, knew that they would do and how far they were willing to go, and who were in possession of their social and health rights, prostitution could be a chosen way of life.

12. On the other hand, legal and supervised prostitution should be regarded as an assault on human rights and for that reason rejected. In countries where State controlled legal prostitution had been stopped, the uncontrolled

prostitution sector obliged prostitutes to live in very difficult conditions, regardless of the state of development of those countries. Many prostitutes would prefer the regime of controlled brothels to the dangers of the streets.

13. The great majority of girls and women practising prostitution had been thrown out into the streets by their parents when still very young and abandoned to the ruthless and bleak laws of the streets against their will.

14. Girls and women born into poverty with no profession were forced to take up prostitution for economic reasons as a means of subsistence or to provide a livelihood for their children and families. It was not a voluntary choice.

15. Those women, whose physical and mental health were never taken into account, lived under the pitiless protection of pimps, brothel owners and similar delinquents. Moreover, they were constantly under the threat of sadistic and perverse men and exposed to public contempt and to working without any security, entirely deprived of social insurance. All such elements were conducive to situations which could be considered as gross violations of human rights and crimes against human dignity.

16. Prof. Turkan Saylan further noted that the traffic in women and forced prostitution were regarded as a profitable business and that many people and organizations were not very concerned about such matters, which they considered to be of marginal importance. But traffic in women and prostitution constituted exploitation of human bodies, human dignity and human rights, and even those who claimed that they participated willingly were compelled to do so.

17. Great sums of money were reserved for medical research intended to benefit social classes with a high purchasing power. The same care was never shown about the local diseases of the poor countries. Medical science should be more sensitive towards people in need. Technology, as well as the new powerful communication systems, should act for the benefit of people and should not be used to exploit human beings.

18. In a social system dominated by men, people might not wish to understand the assertion that a certain use of technology and communication was causing the exploitation of women. The fact that traffic in women and prostitution was an assault on human rights could only be understood in an egalitarian system. The first objective should be the achievement of an egalitarian society.

19. In communities where real liberties were enjoyed, the equality of men and women was gaining ground. Regarding an equal relationship between the sexes as natural was being adopted as a way of life. Sex education was started in the family and during the co-education period at schools; girls and boys formed friendships and engaged in flirtation without constraint. It was a great contradiction that the institution of prostitution still existed in societies enjoying such vast liberties and presuming to have solved their sex problems so completely.

20. The Working Group agreed with Prof. T. Saylan that traffic in women and exploitation of prostitution was not only a national, but a global phenomenon.

21. At the national level, the adoption of the following measures might prevent women from falling into forced prostitution:

(a) A campaign to counter the stigmatization of prostitutes, which in practice deprived them of their civic rights;

(b) Social measures to thwart sexual violence of all kinds;

(c) The provision of information on access to the courts, with guarantees of security and anonymity;

(d) Prevention strategies should try to make the public aware of the violation of human rights inherent in forced prostitution and trafficking in women, to make judges and the police aware of the special situation of immigrant prostitutes, and to promote less discriminatory migration policies for women and help them to integrate;

(e) Participation of the women concerned in the work of the authorities dealing with the problems of traffic in women and forced prostitution.

V. WORKING GROUP ON LEGAL, JURIDICAL AND ADMINISTRATIVE APPROACHES AND ACTIONS

22. In her report to the Working Group, Prof. Hanne Petersen outlined the global, national and local contexts of the phenomena of traffic in women and forced prostitution. In each one of those contexts, Prof. H. Petersen identified several actors working together.

The global context

(a) First world countries and third world countries

23. In the area of prostitution and mail order marriages the relationship between first world and third world countries might be viewed as one in which poor women of the third world sought economic maintenance from well-off men of the first world through the sale of sexual labour. Both customers and enterprises in this field very often came from first world countries. The role of the States profiting directly or indirectly from such traffic was one of almost total non-intervention. International legal instruments aimed at preventing the exploitation of the bodies and faculties of women and children, as well as at protecting their human dignity, should try to limit profits, perhaps through stronger control and taxation of the national companies and agencies involved. First world countries should seriously consider their responsibility for the existence of unacceptable practices.

(b) First world countries and their Governments and transnational companies profiting from the sex industry

24. The legal relationship between those two entities was not clear and should be investigated more thoroughly in order to find out the possibilities of intervention by national authorities with international agencies. With

regard to international mail order marriages, States might consider implementing some of the procedures and control mechanisms which had been adopted internationally.

25. In October 1990 the International Chamber of Commerce had adopted the Business Charter for Sustainable Development, containing "Principles for environmental management". The introductory lines of the Charter read: "Sustainable development involves meeting the needs of the present without compromising the ability of future generations to meet their own needs". The signatories to the Business Charter should be urged to oppose prostitution and the exploitation of prostitutes as an expression of unsustainable management, since they threatened the ability of future generations to meet their own needs. It should be considered the ethical responsibility of the companies who had signed the Charter not to support the sex industry.

(c) Third world countries and their Governments and transnational companies within or profiting from the sex industry

26. Many third world countries, as well as European countries, relied partly on the tourism industry for their national income. The sex industry was closely linked with the tourism industry in some countries. That made it a difficult task for some third world Governments to intervene for the purpose of preventing the exploitation of and the traffic in women. Pressure from the international community, condemning prostitution as an unethical, unecological and unsustainable source of income which violated the human rights and dignity of women, might have an impact on the attitude of third world countries towards transnational companies which promoted and profited from the sex industry. It might perhaps also lead countries which profited from female or child prostitution to try to protect women and children more.

(d) Women (prostitutes, mail order brides) and transnational companies profiting from the sex industry

27. The legal relations between women and the international sex industry, whether public or clandestine, legal or illegal, were either those of outright slavery or, in most cases, that of different kinds of contracts, which leave the women involved very dependent, economically, physically and emotionally. At a national, legal, level, it had been a dominant characteristic of the twentieth century, especially in Western countries, that the weak parties to a contract had received some kind of protection vis-à-vis the stronger party. The prime areas in which such development had taken place were labour law and tenancy agreements. International Labour Organisation conventions on the protection of migrant workers might offer some ideas and paradigms for inspiration.

(e) Men (customers, possible bridegrooms) and transnational companies profiting from the sex industry

28. The relationship between male customers (or bridegrooms) and the sex industry were often contractual relations either legal or illegal. To a great extent, male customers came from countries which were members of the Council of Europe. Those customers constituted the demand for sex tourism and prostitution in the third world, as well as for prostitution and mail order

marriages of third world women in European countries. In the resolution on sexual harassment in the workplace adopted by the European Parliament, member States were urged to develop information and consciousness-raising campaigns for employers and employees in order to counteract unwanted behaviour of a sexual character or other gender-specific behaviour which violated the dignity of men and women in the workplace. Perhaps consumer organizations (and trade unions) should contribute to campaigns on ethical and sexually dignified behaviour of men (and women) outside the workplace.

29. In the national context, there were also a number of relations concerning the phenomena of traffic in women and forced prostitution which might be addressed through legal approaches:

(i) Women (prostitutes/mail order brides) and States of origin

30. As a legal relationship is considered an integral part of the question of national sovereignty, intervention in that relationship initiated by member States of the Council of Europe would probably be difficult. Only in so far as the States of origin violated the human rights of their own citizens and were parties to international conventions would it be possible for the international community to formulate some form of critique.

(ii) Women (prostitutes/mail order brides) and States of entrance

31. Women who left their countries of origin for the purpose of working as prostitutes or for the purpose of marriage, were usually only allowed to enter a first world country as "tourists", normally for a three-month period. If they carried out any other activity than tourism, their presence in the country would be illegal. That left them in a very vulnerable situation vis-à-vis the middlemen who had organized their transportation to the country, the enterprises where they worked and the prospective or actual husbands. Once they married, women's legal qualification for staying in the country would, in most countries, be the family relationship constituted through marriage; when that relationship was broken women would not necessarily be allowed to stay in the country, and consequently risked expulsion.

32. It could be suggested that women who arrived in host countries and were forced into prostitution or who had been married, should be granted a residence permit, independent of their husbands or of other men. Women victims of sexual exploitation should be granted asylum and rights as fugitives. Another suggestion would be that all women should be granted amnesty for a specified period in order to make it possible to prosecute those who illegally organized transportation and exploitation of women. A last suggestion would be to protect women working within prostitution in general, because that would benefit women in the most vulnerable positions.

(iii) The sex industry at the national level: State of entrance

33. The legal relationship between the national parts of the sex industry and the State was multiple: tax regulations, zoning regulations, penal codes, labour codes equality legislation, anti-discrimination legislation, etc. If the purpose of a legal approach to that relationship should be the protection of women the sale of whose sexuality was the backbone of the industry, all

such regulations should be considered from that perspective. It should be considered whether decriminalization of prostitution would be a helpful way to improve the protection of women.

(iv) Customers/grooms and States

34. It should be considered whether States should engage in consciousness-raising campaigns aimed at minimizing prostitution and the exploitation of "bought brides". The threat of HIV and AIDS could be a very important reason for such campaigns since it seemed that customers tended to behave without responsibility in that regard.

35. It should also be considered whether anything could be done to minimize the exploitative demand of customers, particularly high in all-male institutions or environments, such as military camps, and in all-male isolated workplaces, on oil platforms or in other settings. Perhaps support for men's movements dealing with the role of men in a post-modern era might become part of educational as well as of research programmes.

36. Some of the relationships to be considered or at the local level are the following:

(a) Women (prostitutes/mail order brides) and customers/grooms

37. If the woman involved in prostitution was viewed as a sex worker, that implied that she should be protected against exploitation not only from the employer but also during the work process; that meant also against violent or exploitative consumers who were or might be third parties to the legal relationship. It might be considered whether it might be possible to hold employers legally liable for the harm done to women employed as sex workers.

(b) Customers (grooms) and the local sex industry

38. The interests of consumers of "bought sex" might include protection against HIV and AIDS. Perhaps forms of cooperation between male dominated organizations and the sex industry and between health organizations and authorities and the sex industry might be a way of improving the protection of both customers and sex workers.

(c) Customers and other industry

39. Several reports on the demand for prostitution indicated that the existence of all-male surroundings, either for military or for more peaceful, industrial purposes, increased the demand for sexual labour. States which sent out great numbers of soldiers for long periods thus had created and continued to create demand for prostitution, which was filled by poor countries and taken advantage of by the sex industry. Some of the financial burdens linked to a non-commoditized sex life (a family life, where emotional and sexual intimacy can be acquired outside market relations) should be borne by the companies who profited from the cheap labour force of isolated male workers.

(d) Women (prostitutes/mail order brides) and the local sex industry

40. Third world women who worked as prostitutes or try to get married, and thus are most in need of protection, were foreign citizens and often in the country of entrance illegally. The States of entrance might be reluctant to set up forms of protection, for fear of attracting more women who wished to migrate in order to improve their chances of escaping poverty by selling sexual labour to affluent western males. Obligations concerning the protection of human rights should not be limited to citizens of the country concerned; the rights of anybody who entered into that country should also be protected.

41. It could be suggested that groups or institutions should be allowed to take legal steps on behalf of women who have been subject to sexual exploitation, since these women themselves will often be unable to take legal action. It could also be suggested that local enterprises which brought women into a country for purposes of prostitution should be held liable for the economic costs related to the return of such women by the State. Another idea might be to establish the legal basis for the payment of financial compensation to deported women.

42. After an extensive debate, the Working Group put forward various suggestions:

(a) Instituting a special mechanism or mandating an existing mechanism to assess the present state of affairs and to exchange experience and strategies in order to eliminate traffic in women and forced prostitution;

(b) Considering the elaboration of an appropriate legal instrument, for example a Council of Europe recommendation or convention, to eradicate traffic in women and forced prostitution;

(c) Alternatively, considering the possibility of extending the scope of relevant existing international instruments to all forms of trafficking in persons, irrespective of the activity for which persons were trafficked;

(d) Developing effective monitoring systems for existing or any future international legal instruments in the field.

43. In this context, the Working Group proposed a number of practical measures, such as:

(a) Working out a legal status for trafficked women, which would, for example, open up the possibility of giving such women a temporary residence permit on one or more of the following grounds:

(i) To facilitate the denunciation of the traffickers or those exploiting them;

(ii) To make it possible for the women to testify in court against the traffickers;

(iii) In order to extend to them legal and social assistance, as well as the necessary protection.

(b) Action against traffic in women and forced prostitution should primarily be taken without special legal provisions for prostitutes as a group and should be based on the law applicable to all citizens. Prostitutes should have equality with every other citizen before the law. That principle would imply, among other things, that the professional background of women being trafficked should not be considered a relevant item in court proceedings. Trafficked women should not be forced to prove their "moral" past.

(c) Prosecution of traffickers in women should be organized along the lines of criminal investigations currently used for example in dealing with hard drugs traffickers and consequently should be based on an analysis of international networks instead of isolated cases.

(d) Legal action against traffickers could incorporate investigation into the "laundering" of money earned by trafficking women and forcing them into prostitution.

(e) Measures should be taken to control and regulate the new forms of commercial organization of traffic in women currently being developed (mail-order brides, computerized catalogues of prostitutes, etc.), and codes of conduct should be drawn up, such as codes of business conduct.

VI. WORKING GROUP ON ASSISTANCE, SUPPORT AND REINTEGRATION: APPROACHES AND ACTION

44. The Working Group recognized that, since human rights embraced social rights, there were serious obstacles preventing trafficked women from exercising their rights. It was noted that support for and protection of trafficked women were universally inadequate. Their needs were immense: accommodation, papers, remedial education as a prelude to vocational training, literacy training, protection against blackmail by pimps, settlement of contracted debts, information concerning rights, to mention only a few.

45. It was noted that the first concept to bear in mind was the recognition of all human rights. Other elements to be stressed were access to the right to reintegration and the importance of working on public opinion.

46. A series of practical actions were mentioned:

(a) The opening of reception centres was of primary importance. Such centres should be ready to tackle the problems of prostitutes, however complex those problems might be. They should be able to deal with problems relating to social assistance, health (including drug addiction), the law and vocational reclassification.

(b) The role and function of non-governmental organizations should be recognized, particularly as they were often capable of reacting instantly in urgent cases. Non-governmental organizations which were already doing a considerable amount of work in the field should be given help, including financial help, in their task.

(c) Immediate assistance was often a necessary prelude to reintegration. Some kind of intermediate status, akin to that prevailing

when a person was declared bankrupt and was protected from creditors, might be envisaged as a way of coping with emergency situations.

(d) As far as vocational reintegration was concerned, proposals for remedial education and vocational integration should match the schooling levels and abilities of the women concerned and offer them serious occupational opportunities. Experience showed that former prostitutes were often most successful in providing guidance and assisting the vocational reintegration of prostitutes. Efforts might therefore be made to train former prostitutes as social workers.

47. Since the situation of prostitutes concerned many governmental departments, including the ministries of home affairs, social affairs, justice, health, information and education, interministerial coordination units should be set up.

48. Assistance, support and reintegration measures could be planned and implemented only if those directly concerned were involved on an equal footing. It was therefore important that self-help initiatives and existing organizations be supported. Such support was also necessary for women's organizations in general, and particularly those operating in third world countries.

VII. TOURISM, PROSTITUTION AND AIDS 1/

49. Contrary to the initial claims of the tourist industry and the authorities, the danger of AIDS had not reduced the number of sex tours to exotic countries. Every year, more travellers set out for third world countries. Sexual contacts while on holiday were a serious risk factor in the transmission of HIV and the spread of AIDS. The traveller's behaviour, not travel itself, was the main issue.

50. Many third world countries were fostering the development of tourism as a way out of economic crisis, and were using prostitution more or less implicitly as an advertising lure. Based on hard currency earnings and geared to export, that economic policy was impoverishing large sections of the population. Women, adolescents and children were the chief victims of worsening living conditions. Prostitution was often their only means of meeting their own and their families' basic needs. Although they themselves had chosen prostitution as a means of survival, it was scarcely accurate to speak of voluntary prostitution.

51. Prostitutes throughout the world were discriminated against, and their situation had worsened as a result of the dangers inherent in AIDS. Information on AIDS and ways of preventing it was not readily available to them. Their powerless situation often prevented them from insisting that their clients used condoms. The publicity given to high infection rates among prostitutes, who were often the only group systematically screened, helped to stigmatize them even further. Prostitutes, rather than their clients, were the scapegoats for the spread of the disease.

52. An analysis of the situation suggested a number of practical measures which could be taken at various levels. They could be summed up as follows:

(a) Tourists must realize that they had responsibilities in their sexual contacts, and that they were exploiting third world women and children, not only sexually but economically as well.

(b) What was needed was a vast debate concerning the significance of sex tourism as a phenomenon and the risks of HIV contamination through unprotected sexual contacts. The taboos which surrounded prostitutes and their clients must be broken and action taken to counter that ambivalent morality which society displayed in simultaneously condemning and tolerating sex tourism.

(c) The prevention of AIDS among sex tourists could not be dissociated from consideration of the ethics of sex tourism. The whole issue of sex tourism and the social conditions which gave rise to it must be considered.

(d) Institutions, public authorities, development agencies, tourist concerns, the media, politicians, diplomats, doctors and lawyers must coordinate their efforts and were urged to take action to improve the position of women and children in the third world. Those measures must be accompanied by action to alert public opinion to living conditions in the third world. In that connection, absolute priority must be given to protecting children and their rights.

VIII. ELEMENTS FOR A NEW CONVENTION ON SEXUAL SLAVERY 2/

53. During the Seminar it was noted that there was no international instrument in existence which explicitly stipulated that it was a human right to be free of sexual exploitation. Therefore, a convention against sexual slavery should be promulgated.

54. The Coalition against Trafficking in Women had introduced a new definition of prostitution within the concept of sexual exploitation. Sexual exploitation was a violation of human dignity. Therefore,

(a) "It was a fundamental human right to be free from sexual exploitation in all of its forms.

(b) Sexual exploitation was a practice by which person(s) achieved sexual gratification or financial gain, or advancement through the abuse of a person's sexuality by abrogating that person's human right to dignity, equality, autonomy, and physical and mental well-being.

(c) Sexual exploitation took the forms of, but was not limited to, sexual harassment, rape, incest abuse, wife abuse, pornography and prostitution. Exploitation of prostitution included casual, brothel, military, pornographic prostitution and sex tourism, mail order bride markets and trafficking in women.

(d) As sexual exploitation violated human rights, the prostitute must be depenalized and the customer must be penalized, as well as anyone who promoted prostitution for sexual gratification, financial gain or advancement, including pimps and procurers.

(e) Sexual exploitation violated the human rights of anyone, female or male, adult or child, western or third world persons, subjected to it. Therefore, the use of any of those distinctions to determine exploitation as artificial and serving to legitimize prostitution was rejected.

(f) Sexual exploitation preyed on women and children made vulnerable by poverty and underdevelopment, and State economic policies which promoted immigration for labour.

(g) The sexual exploitation of women through prostitution victimized women both within and outside of prostitution. When prostitution was accepted and normalized, what was legitimized was the sale of the body and sex of the individual prostitute. By reducing women to a commodity to be bought, sold, appropriated, exchanged or acquired, prostitution affected women as a group. It reinforced the societal equation of women to sex which reduced women to being less than human and contributed to sustaining women's second class status throughout the world.

55. The Coalition against Trafficking in Women urged States to take the following measures:

(a) To depenalize the prostitute (in the States where she is still penalized) and on the contrary to penalize the client, without forgetting to apply the laws which repress procuring in all its forms and its accomplices (as defined in Articles 1 and 2 of the 1949 Convention);

(b) To protect freedom from sexual exploitation as a fundamental human right;

(c) To prohibit and suppress institutions, public or private, promoting or legitimizing sexual exploitation;

(d) To protect migrant women throughout the migrating process;

(e) To protect the right to obtain and retain one's own passport and other travel documents and to travel without the intervention and mediation of another person or agency;

(f) To protect against the sexual exploitation of women from production or dissemination of pornography by recognizing that, according to Article 30 of the International Declaration of Human Rights, one right (freedom of speech) could not be used to usurp the right to human dignity and equality;

(g) To provide women victims of sexual exploitation and the international traffic in women with the right to seek refuge and protection;

(h) To eradicate sexual exploitation through education which challenged the traditional concepts and stereotypes conducive to sexual exploitation;

(i) To eliminate economic structures, policies and conditions that were conducive to prostitution because they diminished women's choices and sexual exploitation often occured in a context of absence of economic choice;

(j) To set up an ad hoc working group or a committee of experts in order to monitor the implementation of the new convention. Its major tasks would be:

(i) To receive reports from States on progress in the protection of women from sexual exploitation;

(ii) To submit an annual report to the General Assembly.

IX. MIGRANT WOMEN WORKING IN PROSTITUTION 3/

56. Many African women, lured by the European lifestyle, were ready to migrate to Europe. Although the majority of those women knew that it would be difficult to enter the labour market, they hoped to earn money to be able to return home quickly and to guarantee a better future for themselves and their family. Many among them had children.

57. Even those prepared to work in the sex market did not imagine that they would be exploited by a violent and racist environment. Procurers advanced the money for the plane tickets, visas and other fees. To repay those debts, traded women worked every night, all night long, moving from city to city and country to country to escape the police because procurers kept their passports.

58. The first contact that those prostitutes had with national authorities was usually with the police. That first contact, often transformed into a situation of abuse, constituted a negative experience that made those women suspicious of any form of national institution, such as medical and legal authorities.

59. When a migrant woman had legalized her situation in the host country, her right to self-determination should be recognized. Therefore, she should be able to use her body even in the sexual market, if she so chose. Governments were urged to recognize that migrant women in prostitution were economically self-sufficient and provided fundamental economic support for their families back home.

X. THE CONCEPT OF FORCED PROSTITUTION

60. The expression "forced prostitution" was one of the most debated issues by experts in the field of prostitution. The papers presented by Ms. Hanne Petersen, associate professor of Law at the University of Copenhagen, and by Mr. Sven-Alex Mansson, Professor of Social Work at the University of Lund (Sweden) introduced new elements for discussion.

61. According to Prof. Petersen, the title of the Seminar conveyed the impression of an explicit distinction between "forced" and "voluntary" prostitution. The division would indicate that where voluntary prostitution might be tolerated, forced prostitution was considered unacceptable, and action must be taken against it. Traffic in women and forced prostitution might be viewed from different angles in different parts of the world. The social, economic, religious and cultural contexts which surrounded the facts differed. The situation of third world women who responded to information from a mail order firm arranging marriages, looked very different from the situation of western women responding to an advertisement in the "human relations" section of a newspaper.

62. Prof. Petersen further noted that, rather than trying to reach unanimity about definitions of "traffic", "forced" and "voluntary" prostitution, it might be more convenient to try to reach an agreement about which acts and practices should be prevented.

63. Prof. Mansson explained that he had been working as a social researcher in the field of prostitution since the mid 1970s in Sweden. He noted that few prostitutes in the country had been violently forced into prostitution. Some women were talked into it by men or lovers. Compared to the thousands of third world girls who had been deceived, bought and sold, and then delivered into the sex market, the prostitutes whose behaviour he was studying lived in a different world altogether. Their self-determination was of a higher degree in many respects. However, looking deeper into the social and existential meaning of that human activity which was called prostitution, the essential mechanisms were often the same irrespective of the actual differences mentioned above.

64. Throughout history, the basic idea of prostitution had been that a group of women be available for men's sexual purposes. Prostitution contributed to upholding the view of women whereby they were reduced to sexual objects that could be bought for money. That had negative consequences for women's chances in developing a recognized sexuality. The more extensive the sex trade, the greater the confirmation of male society's restricted view of the relationship between the sexes and sexuality.

65. The sex trade exposed, in a concentrated way, the traditional gender role's deeper structure, in which the elements of inequality, double morality, sexual antagonism and anxiety-driven sexuality were prominent. One conclusion that could be drawn was that the sex trade was a societal phenomenon which was unacceptable. In other words, it should be counteracted and society's measures, national as well as international, should start from there. Thus, the use of the concept of forced prostitution must not lead people to believe that while the European community rejected one form of prostitution it accepted another.

Notes

1/ This section summarizes a study carried out by Ms. Mechtild Maurer at the request of the Federal Health Office and the Office for the Equality between Women and Men (Bern, Switzerland).

2/ This section is an excerpt of the speech made by the Coalition against Trafficking in Women. See also the UNESCO report on the meeting of experts on international action in the struggle against sexual exploitation and prostitution (State College of Pennsylvania, United States of America, April 1991).

3/ This section is an excerpt of the statement made by the representative of Il Comitato per i Diritti Civili delle Prostitute (the Committee for the Civil Rights of Prostitutes).